

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

JUL 12 2000

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 OFFICE OF THE SECRETARY

In the Matter of: )  
 )  
 Amendment of Section 73.202(b), )  
 Table of Allotments, )  
 FM Broadcast Stations, )  
 (Lynn Haven, Florida) )

MM Docket No. 00-93  
 RM - 9881

To: Chief, Allocations Branch  
 Policy & Rules Division, Mass Media Bureau

**COMMENTS & STATEMENT OF CONTINUING INTEREST  
 OF  
 BEACON HOUSE COMMUNICATIONS**

Beacon House Communications ("BHC"), by Counsel, pursuant to Paragraph No. 2 of the Appendix to the *Notice of Proposed Rule Making (DA 00-1155, released May 26, 2000) ("NPRM")*, hereby respectfully submits these Comments & Statement of Continuing Interest in the above-captioned Rule Making proceeding. In support hereof, BHC submits the following:

**Preliminary Statement**

1. On May 26, 2000 the Commission, in response to a petition filed by BHC, released the NPRM wherein it proposed to amend §73.202(b) of the Rules, Table of Allotments, as follows:

<u>City / State</u>	<u>Existing</u>	<u>Proposed</u>
Lynn Haven, Florida	---	282A

2. In its original Petition, BHC submitted a Technical Statement to demonstrate that Channel 282A may be allotted to the community of Lynn

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Haven, Florida in compliance with Section 73.207 of the Commission's Rules regarding current spacing requirements. According to the Engineering Statement, Channel 282A may be allotted to Lynn Haven at site reference coordinates North Latitude 30 - 11 - 20 and West Longitude 85 - 42 - 20. From this location, the 3.16 mV/m city-grade contour will encompass the entire community of Lynn Haven.

**The Proposed Allotment Is In The Public Interest**

3. The public interest would be served by adopting BHC's proposal. A new radio station on Channel 282A at Lynn Haven will provide first local service to that community. As BHC's original petition demonstrated, the population of Lynn Haven is growing, and Lynn Haven has all of the requisite indicia of community status to warrant the allotment of an FM channel there.

**Site Availability With Regard to the Panama City Airport**

4. In Paragraph Number 3 of the NPRM, the Commission notes that the site reference coordinates for BHC's proposal is near the Panama City Airport, and the Commission seeks information regarding actual site availability. Accordingly, BHC submits the attached Technical Exhibit of Jefferson G. Brock wherein it is demonstrated that an existing broadcast tower, located at geographical coordinates North Latitude 30 - 10 - 44 and West Longitude 85 - 46 - 55, can be used as the transmitting site for Channel 282A at Lynn Haven in full compliance with the Commission's minimum distance separation requirements, and with complete city-grade service coverage of Lynn Haven./<sup>1</sup>

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<sup>1</sup> BHC has already obtained verbal site assurance from the owner of this broadcast tower for placement of BHC's radio antenna for Channel 282A should the Commission approve BHC's proposal and BHC ultimately become the permittee of the new radio station on Channel 282A at Lynn Haven.

**Statement Of Continuing Interest**

5. BHC hereby states that, upon the Commission's adoption of its proposal and the allocation of Channel 282A to Lynn Haven, Florida, BHC will participate in a Commission auction proceeding and submit an application to provide new broadcast service on Channel 282A at Lynn Haven, Florida, and that further, if its Application is granted, to construct and operate that facility.

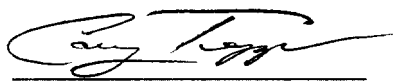
**Conclusion**

WHEREFORE, the above premises considered, BHC respectfully urges the Commission to AMEND § 73.202(b) of the Commission's Rules, FM Table of Allotments, as follows:

<b><u>City / State</u></b>	<b><u>Existing</u></b>	<b><u>Proposed</u></b>
Lynn Haven, Florida	---	282A

Respectfully submitted,

**BEACON HOUSE COMMUNICATIONS**

By:   
Cary S. Tepper

Its Attorney

**Booth, Freret, Imlay & Tepper, P.C.**  
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Washington, D.C. 20016-4120

(202) 686-9600

July 12, 2000

# GRAHAM BROCK, INC.

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BROADCAST TECHNICAL CONSULTANTS

**TECHNICAL COMMENTS**  
**MM DOCKET #00-93**  
**BEACON HOUSE COMMUNICATIONS**  
**ALLOT CHANNEL 282A**  
**LYNN HAVEN, FLORIDA**  
**June 2000**

**TECHNICAL EXHIBIT**

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**TECHNICAL COMMENTS**  
**MM DOCKET #00-93**  
**BEACON HOUSE COMMUNICATIONS**  
**ALLOT CHANNEL 282A**  
**LYNN HAVEN, FLORIDA**  
**June 2000**

**TECHNICAL STATEMENT**

1. This Technical Statement and attached exhibits were prepared on behalf of Beacon House Communications ("Beacon"), petitioner in MM Docket #00-93, seeking the allotment of Channel 282A to Lynn Haven, Florida, as that community's first local FM service. In the Commission's Notice of Proposed Rule Making ("Notice"), it was noted that the proposed allotment site was near the Panama City Airport. As such, the Commission requested comments regarding the issue of site availability for the proposed allotment of the channel to Lynn Haven, Florida.

2. Beacon has identified an existing tower at which Channel 282A can be implemented and meet the Commission's minimum distance separation requirements. From this existing tower site, Channel 282A, as a maximum Class A facility, would provide a 3.16 mV/m signal over 100% of the community of Lynn Haven. As indicated on Exhibit #1, from geographic coordinates North Latitude 30° 10' 44" and West Longitude 85° 46' 55", Channel 282A meets the Commission's minimum distance separation requirements to all existing, applied for or proposed facilities. Further, a maximum 6.0 kilowatt Class A facility has a 70 dBu contour extending 16.1 kilometers from the site, and, as denoted on Exhibit #2, the community of Lynn Haven would be fully encompassed by the city grade contour of the facility. Since this is an existing structure, no further FAA approval is required for the Channel 282A use of this site.

3. The foregoing Technical Statement was prepared on behalf of Beacon House Communications by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relative to FM facilities was extracted from the CDBS database as updated on June 23, 2000. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein.

**TECHNICAL COMMENTS**  
**MM DOCKET #00-93**  
**BEACON HOUSE COMMUNICATIONS**  
**ALLOT CHANNEL 282A**  
**LYNN HAVEN, FLORIDA**  
**June 2000**

**EXHIBIT #1**

CLEARANCE STUDY FOR CHANNEL 282A LYNN HAVEN, FLORIDA  
 USING EXISTING TOWER SITE AS REFERENCE

REFERENCE		DISPLAY DATES
30 10 44 N	CLASS A	DATA 06-15-00
85 46 55 W	Current rules spacings	SEARCH 06-26-00
----- CHANNEL 282 -104.3 MHZ -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
RADD	282A	Lynn Haven	FL	81.4	7.44	115.0	-107.56
ADDD	30 11 20	85 42 20	0.000 kW	0M	4.6	71.5	
	Beacon House Communications			RM-9881			
WQLD	282C1	Luverne	AL	349.8	202.35	200.0	2.35
LICDCN	31 58 28	86 09 44	13.500 kW	558M	125.8	124.3	
	Capstar Tx Limited Partnership			BLH-19970731KB			
WGLF	281C	Tallahassee	FL	79.4	172.74	165.0	7.74
LIC CY	30 27 09	84 00 50	100.000 kW	425M	107.4	102.6	
	Cumulus Licensing Corp.			BMLH-19920818KH			
WYOK	281C	Atmore	AL	286.0	185.98	165.0	20.98
LIC CN	30 37 35	87 38 50	100.000 kW	474M	115.6	102.6	
	Cumulus Licensing Corp.			BMLH-19880321KA			
WAAZFM	284C1	Crestview	FL	310.5	101.00	75.0	26.00
APP CN	30 46 01	86 35 07	100.000 kW	148M	62.8	46.6	
	Crestview Broadcasting Company			BPH-19990402IF			
WAAZFM	284C2	Crestview	FL	310.5	100.88	55.0	45.88
LIC HN	30 45 56	86 35 06	30.000 kW	84M	62.7	34.2	
	Crestview Broadcasting Company			BLH-19931124KD			
WEBZ	228C2	Port St. Joe	FL	128.4	64.28	15.0	49.28
LIC CN	29 49 09	85 15 34	14.500 kW	204M	40.0	9.3	
	Jacor Licensee Of Louisville			BLH-19940613KM			
WRJFMF	229C1	Geneva	AL	350.1	97.51	22.0	75.51
LIC CN	31 02 42	85 57 33	100.000 kW	260M	60.6	13.7	
	Stage Door Development, Inc.			BLH-19920526KA			
WKAK	283C1	Albany	GA	47.6	227.93	133.0	94.93
LIC CY	31 32 57	84 00 19	100.000 kW	299M	141.7	82.7	
	Cumulus Licensing Corp.			BLH-19900424KC			
WQLSFM	280C3	Ozark	AL	8.4	141.39	42.0	99.39
LIC CN	31 26 25	85 33 49	25.000 kW	89M	87.9	26.1	
	Woods Communications Group, Inc.			BLH-19920701KD			

**Graham Brock, Inc. - Broadcast Technical Consultants**

**Existing tower**

Latitude: 30-10-44 N  
Longitude: 085-46-55 W  
Power: 6.00 kW  
Channel: 282  
Frequency: 104.3 MHz  
AMSL Height: 101.0 m  
Elevation: 3.0 m  
Horiz. Pattern: Omni  
Prop Model: None  
Circular contour radius 16.1 km

30-00 N  
085-00 W

085-30-00 W

085-40-00 W

085-30-00 W

**70 dBu CONTOUR**

Laguna Beach

Lynn Haven

Bay

Hiland Park

Panama City Beach

Panama City

Springfield

Calaway

30-10-00 N

**EXHIBIT #2**

**TECHNICAL COMMENTS**

**MM DOCKET #00-93**

**BEACON HOUSE COMMUNICATIONS**

**ALLOT CHANNEL 282A**

**LYNN HAVEN, FLORIDA**

**June 2000**

Scale 1:250,000

0 3 6 9 km



**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

*State of Georgia    )*  
*St. Simons Island    ) ss:*  
*County of Glynn    )*

**JEFFERSON G. BROCK**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Beacon House Communications, to prepare the attached Technical Exhibit.


His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

*This the 26th day of June, 2000.*

\_\_\_\_\_  
Jefferson G. Brock  
Affiant

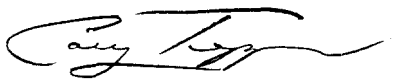
*Sworn to and subscribed before me  
this the 26th day of June, 2000.*

  
\_\_\_\_\_  
Notary Public, State of Georgia  
My Commission Expires: April 20, 2002

CERTIFICATE OF SERVICE

I, Cary S. Tepper, Esquire, hereby certify that on this 12th day of July, 2000, I have served a copy of the foregoing "**Comments & Statement of Continuing Interest of Beacon House Communications**" first-class, postage-prepaid, on the following:

\*John A. Karousos  
Chief, Allocations Branch  
Federal Communications Commission  
445 12th Street, S.W.; Room 3-A266  
Washington, D.C. 20554

A handwritten signature in black ink, appearing to read 'Cary Tepper', written over a horizontal line.

Cary S. Tepper, Esq.

\*/ indicates delivery by hand